



09/847,513

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/847,513

Atty. Docket No.: MBA-101

Filing Date: 05/01/2001

Art Unit: 1637

Applicants: Edward F. Delong et al.

Examiner: Teresa E. Strzelecka

Title: LIGHT-DRIVEN ENERGY GENERATION USING  
PROTEORHODOPSIN

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## CERTIFICATE OF MAILING

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PETITION UNDER 37 C.F.R. 1.84(a)(2)Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office action mailed on August 15, 2003 required the applicants to correct Figure 40 such that the tube 4010 shows a reddish pigmentation of the proteorhodopsin-expressing *E. coli* cell suspension, as particularly described on page 26, line 20, to page 27, line 4, of the specification as originally submitted. Since color would be necessary to correctly show the reddish cell suspension in the tube 4010, it is respectfully requested that color drawings of the corrected Figure 40 be accepted.

In addition, it is submitted that photographs are the only practicable medium for illustrating the reddish pigmentation of the proteorhodopsin-expressing *E. coli* cell suspension.

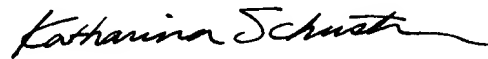
Therefore, it is respectfully requested that color photographs of the corrected Figure 40 be accepted. The color photographs submitted herewith are of sufficient quality that all details in the photographs would be reproducible in the printed patent.

This Petition is accompanied by

- (i) the fee set forth in 37 C.F.R. § 1.17(h);
- (ii) three (3) sets of color drawings;
- (iii) a black and white photocopy that accurately depicts, to the extent possible, the subject matter shown in the color drawing; and
- (iv) an amendment to the specification to insert as the first paragraph of the brief description of the drawings the language required under 37 C.F.R. 1.84(a)(2).

Having satisfied the requirements set forth in 37 C.F.R. 1.84, applicants respectfully request that this Petition be granted.

Respectfully submitted,



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